
HOUSE BILL No. 1123

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-22-22-12; IC 6-1.1-18.5-10.5; IC 36-1-11-5.7; IC 36-8-19.

Synopsis: Ambulance service territories. Authorizes the legislative bodies of at least two contiguous units to establish an ambulance service territory in the same manner as a fire protection territory is established. Amends the fire protection territory statutes to provide an ambulance service territory with the same powers and duties for emergency ambulance services or emergency medical services that a fire protection territory has for fire protection services.

Effective: Upon passage.

Riecken

January 5, 2010, read first time and referred to Committee on Government and Regulatory Reform.

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Second Regular Session 116th General Assembly (2010)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2009 Regular and Special Sessions of the General Assembly.

HOUSE BILL No. 1123

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 5-22-22-12, AS AMENDED BY P.L.128-2008,
2 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 12. (a) This section applies to the following
4 surplus property:

- 5 (1) Fire trucks.
- 6 (2) Emergency service vehicles.
- 7 (3) Firefighting or emergency services equipment.

8 (b) As used in this section, "fire department" refers to any of the
9 following:

- 10 (1) A volunteer fire department (as defined in IC 36-8-12-2).
- 11 (2) The board of fire trustees of a fire protection district
12 established under IC 36-8-11.
- 13 (3) The provider unit of a fire protection territory established
14 under IC 36-8-19.

15 (c) Notwithstanding section 4, 4.5, or 5 of this chapter, a
16 governmental body may transfer title of surplus property to:

- 17 (1) a fire department for the fire department's use in providing fire



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1 protection or emergency services; **or**

2 **(2) the provider unit of an ambulance service territory for use**
 3 **in providing emergency ambulance services or emergency**
 4 **medical services.**

5 (d) A fire department located in the same county as the
 6 governmental body offering the surplus property for transfer has the
 7 right of first refusal for all surplus property offered. Surplus property
 8 that is refused by the fire departments located in the same county as the
 9 governmental body may be transferred to any fire department in
 10 Indiana **or to a provider unit of an ambulance service territory.**

11 (e) A governmental body may transfer title of surplus property to a
 12 fire department **or the provider unit of an ambulance service**
 13 **territory** under this section by:

14 (1) sale;

15 (2) gift; or

16 (3) another arrangement acceptable to:

17 **(A) the governmental body; and**

18 **(B) the fire department or provider unit.**

19 SECTION 2. IC 6-1.1-18.5-10.5, AS AMENDED BY
 20 P.L.182-2009(ss), SECTION 129, IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10.5. (a) The ad
 22 valorem property tax levy limits imposed by section 3 of this chapter
 23 do not apply to ad valorem property taxes imposed by a civil taxing
 24 unit for fire protection services within a fire protection territory under
 25 IC 36-8-19, if the civil taxing unit is a participating unit in a fire
 26 protection territory established before August 1, 2001. For purposes of
 27 computing the ad valorem property tax levy limits imposed on a civil
 28 taxing unit by section 3 of this chapter on a civil taxing unit that is a
 29 participating unit in a fire protection territory established before August
 30 1, 2001, the civil taxing unit's ad valorem property tax levy for a
 31 particular calendar year does not include that part of the levy imposed
 32 under IC 36-8-19.

33 (b) This subsection applies to a participating unit in a fire protection
 34 territory established under IC 36-8-19 after July 31, 2001, **and to an**
 35 **ambulance service territory.** The ad valorem property tax levy limits
 36 imposed by section 3 of this chapter do not apply to ad valorem
 37 property taxes imposed by a civil taxing unit for fire protection services
 38 within a fire protection territory **or for emergency ambulance**
 39 **services or emergency medical services within an ambulance**
 40 **service territory** under IC 36-8-19 for the three (3) calendar years in
 41 which the participating unit levies a tax to support the territory. For
 42 purposes of computing the ad valorem property tax levy limits imposed

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on a civil taxing unit by section 3 of this chapter for the three (3) calendar years for which the participating unit levies a tax to support the territory, the civil taxing unit's ad valorem property tax levy for a particular calendar year does not include that part of the levy imposed under IC 36-8-19.

(c) This subsection applies to property taxes first due and payable after December 31, 2008. Except as provided in subsection (d), notwithstanding subsections (a) and (b) or any other law, any property taxes imposed by a civil taxing unit that are exempted by this section from the ad valorem property tax levy limits imposed by section 3 of this chapter may not increase annually by a percentage greater than the result of:

- (1) the assessed value growth quotient determined under section 2 of this chapter; minus
- (2) one (1).

(d) The limits specified in subsection (c) do not apply to a civil taxing unit in the first year in which the civil taxing unit becomes a participating unit in a fire protection territory **or ambulance service territory** established under IC 36-8-19. In the first year in which a civil taxing unit becomes a participating unit in a fire protection territory **or ambulance service territory**, the civil taxing unit shall submit its proposed budget, proposed ad valorem property tax levy, and proposed property tax rate for the ~~fire protection~~ territory to the department of local government finance. The department of local government finance shall make a final determination of the civil taxing unit's budget, ad valorem property tax levy, and property tax rate for the ~~fire protection~~ territory for that calendar year. In making its determination under this subsection, the department of local government finance shall consider the amount that the civil taxing unit is obligated to provide to meet the expenses of operation and maintenance of the fire protection services **or emergency ambulance services or emergency medical services** within the territory plus a reasonable operating balance, not to exceed twenty percent (20%) of the budgeted expenses. However, the department of local government finance may not approve under this subsection a property tax levy greater than zero (0) if the civil taxing unit did not exist as of the March 1 assessment date for which the tax levy will be imposed. For purposes of applying subsection (c) to the civil taxing unit's property tax levy for the ~~fire protection~~ territory in subsequent calendar years, the department of local government finance may determine not to consider part or all of the part of the first year property tax levy imposed to establish an operating balance.

SECTION 3. IC 36-1-11-5.7, AS AMENDED BY P.L.128-2008,

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SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5.7. (a) As used in this section, "fire department" refers to any of the following:

- (1) A volunteer fire department (as defined in IC 36-8-12-2).
- (2) The board of fire trustees of a fire protection district established under IC 36-8-11.
- (3) The provider unit of a fire protection territory established under IC 36-8-19.

(b) Notwithstanding IC 5-22-22 and sections 4, 4.1, 4.2, and 5 of this chapter, a disposing agent of a political subdivision may sell or transfer:

- (1) real property; or
- (2) tangible or intangible personal property, licenses, or any interest in the tangible or intangible personal property or licenses; without consideration or for a nominal consideration to a fire department for construction of a fire station or other purposes related to firefighting **or to the provider unit of an ambulance service territory for any purposes related to providing emergency ambulance services or emergency medical services.**

SECTION 4. IC 36-8-19-1, AS AMENDED BY P.L.227-2005, SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. Except as provided in section 1.5 of this chapter, this chapter applies to any geographic area that is established as a fire protection territory **or ambulance service territory.**

SECTION 5. IC 36-8-19-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. As used in this chapter, "provider unit" refers to the participating unit that is responsible for providing:

- (1) the fire protection services within the territory, **in the case of a fire protection territory; or**
- (2) **the emergency ambulance services or emergency medical services within the territory, in the case of an ambulance service territory.**

SECTION 6. IC 36-8-19-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. As used in this chapter, "territory" refers to a fire protection territory **or ambulance service territory** established under this chapter.

SECTION 7. IC 36-8-19-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) Subject to subsections ~~(b) and (c)~~ **and (d)**, the legislative bodies of at least two (2) contiguous units may establish a fire protection territory for any of the following purposes:

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(1) Fire protection, including the capability for extinguishing all fires that might be reasonably expected because of the types of improvements, personal property, and real property within the boundaries of the territory.

(2) Fire prevention, including identification and elimination of all potential and actual sources of fire hazard.

(3) Other purposes or functions related to fire protection and fire prevention.

(b) Subject to subsections (c) and (d), the legislative bodies of at least two (2) contiguous units may establish an ambulance service territory to provide any of the following:

(1) Emergency ambulance services (as defined in IC 16-18-2-107).

(2) Emergency medical services (as defined in IC 16-18-2-110).

~~(b)~~ (c) Not more than one (1) unit within the proposed territory may be designated as the provider unit for the territory.

~~(c)~~ (d) The boundaries of a territory need not coincide with those of other political subdivisions.

SECTION 8. IC 36-8-19-6, AS AMENDED BY P.L.47-2007, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) To establish a fire protection territory **or an ambulance service territory**, the legislative bodies of each unit desiring to become a part of the proposed territory must adopt an ordinance (if the unit is a county or municipality) or a resolution (if the unit is a township) that meets the following requirements:

(1) The ordinance or resolution is identical to the ordinances and resolutions adopted by the other units desiring to become a part of the proposed territory.

(2) The ordinance or resolution is adopted after January 1 but before April 1.

(3) The ordinance or resolution authorizes the unit to become a party to an agreement for the establishment of ~~a fire protection~~ **the** territory.

(4) The ordinance or resolution is adopted after the legislative body holds a public hearing to receive public comment on the proposed ordinance or resolution. The legislative body must give notice of the hearing under IC 5-3-1.

(b) The notice required under this section shall include all of the following:

(1) A list of the provider unit and all participating units in the proposed territory.

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(2) The date, time, and location of the hearing.

(3) The location where the public can inspect the proposed ordinance or resolution.

(4) A statement as to whether the proposed ordinance or resolution requires uniform tax rates or different tax rates within the territory.

(5) The name and telephone number of a representative of the unit who may be contacted for further information.

(c) The ordinance or resolution adopted under this section shall include at least the following:

(1) The boundaries of the proposed territory.

(2) The identity of the provider unit and all other participating units desiring to be included within the territory.

(3) An agreement to impose:

(A) a uniform tax rate upon all of the taxable property within the territory for fire protection services **(in the case of a fire protection territory) or emergency ambulance services or emergency medical services (in the case of an ambulance service territory);** or

(B) different tax rates for fire protection services **(in the case of a fire protection territory) or emergency ambulance services or emergency medical services (in the case of an ambulance service territory)** for the units desiring to be included within the territory, so long as a tax rate applies uniformly to all of a unit's taxable property within the territory.

(4) The contents of the agreement to establish the territory.

(d) An ordinance or a resolution adopted under this section takes effect July 1 of the year the ordinance or resolution is adopted.

SECTION 9. IC 36-8-19-8, AS AMENDED BY P.L.182-2009(ss), SECTION 443, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) Upon the adoption of identical ordinances or resolutions, or both, by the participating units under section 6 of this chapter, the designated provider unit must establish:

(1) a fire protection territory fund, in the case of a fire protection territory; or

(2) an ambulance service territory fund, in the case of an ambulance service territory;

from which all expenses of operating and maintaining the fire protection services **(in the case of a fire protection territory) or emergency ambulance services or emergency medical services (in the case of an ambulance service territory)** within the territory,

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including repairs, fees, salaries, depreciation on all depreciable assets, rents, supplies, contingencies, and all other expenses lawfully incurred within the territory shall be paid. The purposes described in this subsection are the sole purposes of the fund, and money in the fund may not be used for any other expenses. Except as allowed in subsections (d) and (e) and section 8.5 of this chapter, the provider unit is not authorized to transfer money out of the fund at any time.

(b) The fund consists of the following:

(1) All receipts from the tax imposed under this section **for the territory.**

(2) Any money transferred to the fund by the provider unit as authorized under subsection (d).

(3) Any receipts from a false alarm fee or service charge imposed by the participating units under IC 36-8-13-4 **(in the case of a fire protection territory).**

(4) Any money transferred to the fund by a participating unit under section 8.6 of this chapter.

(5) Any receipts from a service charge imposed by the participating units for services provided by the ambulance service territory (in the case of an ambulance service territory).

(c) The provider unit, with the assistance of each of the other participating units, shall annually budget the necessary money to meet the expenses of operation and maintenance of the fire protection services **(in the case of a fire protection territory) or emergency ambulance services or emergency medical services (in the case of an ambulance service territory)** within the territory, plus a reasonable operating balance, not to exceed twenty percent (20%) of the budgeted expenses. Except as provided in IC 6-1.1-18.5-10.5, after estimating expenses and receipts of money, the provider unit shall establish the tax levy required to fund the estimated budget. The amount budgeted under this subsection shall be considered a part of each of the participating unit's budget.

(d) If the amount levied in a particular year is insufficient to cover the costs incurred in providing fire protection services **(in the case of a fire protection territory) or emergency ambulance services or emergency medical services (in the case of an ambulance service territory)** within the territory, the provider unit may transfer from available sources to the fire protection territory fund **or ambulance service territory fund** the money needed to cover those costs. In this case:

(1) the levy in the following year shall be increased by the amount

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required to be transferred; and

(2) the provider unit is entitled to transfer the amount described in subdivision (1) from the fund as reimbursement to the provider unit.

(e) If the amount levied in a particular year exceeds the amount necessary to cover the costs incurred in providing fire protection services **(in the case of a fire protection territory) or emergency ambulance services or emergency medical services (in the case of an ambulance service territory)** within the territory, the levy in the following year shall be reduced by the amount of surplus money that is not transferred to the equipment replacement fund established under section 8.5 of this chapter. The amount that may be transferred to the equipment replacement fund may not exceed five percent (5%) of the levy for that fund for that year. Each participating unit must agree to the amount to be transferred by adopting an ordinance (if the unit is a county or municipality) or a resolution (if the unit is a township) that specifies an identical amount to be transferred.

(f) The tax under this section is subject to the tax levy limitations imposed under IC 6-1.1-18.5-10.5.

SECTION 10. IC 36-8-19-8.5, AS AMENDED BY P.L.47-2007, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8.5. (a) Participating units may agree to establish an equipment replacement fund under this section to be used to purchase fire protection equipment **(in the case of a fire protection territory) or emergency ambulance or emergency medical equipment (in the case of an ambulance service territory)**, including housing, that will be used to serve the entire territory. To establish the fund, the legislative bodies of each participating unit must adopt an ordinance (if the unit is a county or municipality) or a resolution (if the unit is a township) that meets the following requirements:

(1) The ordinance or resolution is identical to the ordinances and resolutions adopted by the other participating units under this section.

(2) The ordinance or resolution is adopted after January 1 but before April 1.

(3) The ordinance or resolution authorizes the provider unit to establish the fund.

(4) The ordinance or resolution includes at least the following:

(A) The name of each participating unit and the provider unit.

(B) An agreement to impose a uniform tax rate upon all of the taxable property within the territory for the equipment replacement fund.

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(C) The contents of the agreement to establish the fund.
 An ordinance or a resolution adopted under this section takes effect
 July 1 of the year the ordinance or resolution is adopted.

(b) If a fund is established, the participating units may agree to:

(1) impose a property tax to provide for the accumulation of
 money in the fund to purchase fire protection equipment **(in the
 case of a fire protection territory) or emergency ambulance or
 emergency medical equipment (in the case of an ambulance
 service territory);**

(2) incur debt to purchase fire protection equipment **(in the case
 of a fire protection territory) or emergency ambulance or
 emergency medical equipment (in the case of an ambulance
 service territory)** and impose a property tax to retire the loan; or

(3) transfer an amount from the fire protection territory fund **(in
 the case of a fire protection territory) or ambulance service
 territory fund (in the case of an ambulance service territory)**
 to the fire equipment replacement fund not to exceed five percent
 (5%) of the levy for the fire protection territory fund **or
 ambulance service territory fund** for that year;

or any combination of these options. The property tax rate for the levy
 imposed under this section may not exceed three and thirty-three
 hundredths cents (\$0.0333) per one hundred dollars (\$100) of assessed
 value. Before debt may be incurred, the fiscal body of a participating
 unit must adopt an ordinance (if the unit is a county or municipality) or
 a resolution (if the unit is a township) that specifies the amount and
 purpose of the debt. The ordinance or resolution must be identical to
 the other ordinances and resolutions adopted by the participating units.
 In addition, the department of local government finance must approve
 the incurrence of the debt using the same standards as applied to the
 incurrence of debt by civil taxing units.

(c) Money in the fund may be used by the provider unit only for
 those purposes set forth in the agreement among the participating units
 that permits the establishment of the fund.

SECTION 11. IC 36-8-19-8.6, AS ADDED BY P.L.128-2008,
 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 UPON PASSAGE]: Sec. 8.6. (a) A participating unit may adopt an
 ordinance or a resolution to transfer any money belonging to the
 participating unit to:

(1) the fire protection territory fund established under section 8 of
 this chapter **(in the case of a fire protection territory) or the
 ambulance service territory fund established under section 8
 of this chapter (in the case of an ambulance service territory);**

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- (2) the fire protection territory equipment replacement fund established under section 8.5 of this chapter **(in the case of a fire protection territory) or the ambulance service territory equipment replacement fund established under section 8.5 of this chapter (in the case of an ambulance service territory);** or
- (3) both funds described in subdivisions (1) and (2).

(b) An ordinance or a resolution adopted under this section must state both of the following:

- (1) The amount of money transferred to either fund.
- (2) The source of the money.

(c) The transfer of money from a participating unit to a fire protection territory before July 1, 2008, is legalized.

SECTION 12. IC 36-8-19-8.7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8.7. After a sufficient appropriation for the purchase of firefighting apparatus and equipment **(in the case of a fire protection territory) or emergency ambulance or emergency medical apparatus and equipment (in the case of an ambulance service territory),** including housing, is made and is available, the participating units, with the approval of the fiscal body of each participating unit, may purchase the ~~firefighting~~ apparatus and equipment for the territory on an installment conditional sale or mortgage contract running for a period not exceeding:

- (1) six (6) years; or
- (2) fifteen (15) years for a territory that:
- (A) has a total assessed value of sixty million dollars (\$60,000,000) or less, as determined by the department of local government finance; and
- (B) is purchasing the ~~firefighting~~ equipment with funding from the:
- (i) state or its instrumentalities; or
- (ii) federal government or its instrumentalities.

The purchase shall be amortized in equal or approximately equal installments payable on January 1 and July 1 each year.

SECTION 13. IC 36-8-19-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) The department of local government finance, when approving a rate and levy fixed by the provider unit, shall verify that a duplication of tax levies does not exist within participating units, so that taxpayers do not bear two (2) levies for the same service, except as provided by subsection (b) or (c).

(b) A unit that incurred indebtedness for fire protection services **or for emergency ambulance services or emergency medical services**

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before becoming a participating unit under this chapter shall continue to repay that indebtedness by levies within the boundaries of the unit until the indebtedness is paid in full.

(c) A unit that agreed to the borrowing of money to purchase fire protection equipment **or emergency ambulance or emergency medical equipment** while a participating unit under this chapter shall continue to repay the unit's share of that indebtedness by imposing a property tax within the boundaries of the unit until the indebtedness is paid in full. The department of local government finance shall determine the amount of the indebtedness that represents the unit's fair share, taking into account the equipment purchased, the useful life of the equipment, the depreciated value of the equipment, and the number of years the unit benefited from the equipment.

SECTION 14. IC 36-8-19-10, AS AMENDED BY P.L.47-2007, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. This chapter does not require a municipality or township to disband its fire department **or its emergency ambulance service or emergency medical service** unless its legislative body consents by ordinance (if the unit is a municipality) or resolution (if the unit is a township) to do so.

SECTION 15. IC 36-8-19-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11. Any area that is part of a territory and that is annexed by a municipality that is not a part of the territory ceases to be a part of the territory when the municipality begins to provide fire protection services **(in the case of a fire protection territory) or emergency ambulance services or emergency medical services (in the case of an ambulance service territory)** to the area.

SECTION 16. IC 36-8-19-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 12. In the same year that a tax levy is imposed under this chapter, each respective participating unit's tax levies attributable to providing fire protection services **(in the case of a fire protection territory) or emergency ambulance services or emergency medical services (in the case of an ambulance service territory)** within the unit shall be reduced by an amount equal to the amount levied for fire protection services **(in the case of a fire protection territory) or emergency ambulance services or emergency medical services (in the case of an ambulance service territory)** in the year immediately preceding the year in which each respective unit became a participating unit.

SECTION 17. IC 36-8-19-13, AS AMENDED BY P.L.47-2007, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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UPON PASSAGE]: Sec. 13. (a) If a unit elects to withdraw from a fire protection territory **or ambulance service territory** established under this chapter, the unit must after January 1 but before April 1, adopt an ordinance (if the unit is a county or municipality) or a resolution (if the unit is a township) providing for the withdrawal. An ordinance or resolution adopted under this section takes effect July 1 of the year that the ordinance or resolution is adopted.

(b) If an ordinance or a resolution is adopted under subsection (a):

(1) the unit's maximum permissible ad valorem property tax levy with respect to fire protection services **(in the case of a fire protection territory) or emergency ambulance services or emergency medical services (in the case of an ambulance service territory)** shall be initially increased by the amount of the particular unit's previous year levy under this chapter; and

(2) additional increases with respect to fire protection services levy amounts **or emergency ambulance services or emergency medical services levy amounts** are subject to the tax levy limitations under IC 6-1.1-18.5, except for the part of the unit's levy that is necessary to retire the unit's share of any debt incurred while the unit was a participating unit.

SECTION 18. IC 36-8-19-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 14. (a) A provider unit shall pay for the care of a full-time, paid firefighter **or emergency medical services provider** who:

(1) suffers an injury; or

(2) contracts an illness;

during the performance of the ~~firefighter's~~ **individual's** duty.

(b) The provider unit shall pay for the following expenses incurred by a ~~firefighter~~ **an individual** described in subsection (a):

(1) Medical and surgical care.

(2) Medicines and laboratory, curative, and palliative agents and means.

(3) X-ray, diagnostic, and therapeutic service, including during the recovery period.

(4) Hospital and special nursing care if the physician or surgeon in charge considers it necessary for proper recovery.

(c) Expenditures required by subsection (a) shall be paid from the fund used by the provider unit for payment of the costs attributable to providing fire protection services **(in the case of a fire protection territory) or emergency ambulance services or emergency medical services (in the case of an ambulance service territory)** in the provider unit.

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1 (d) A provider unit that has paid for the care of ~~a firefighter~~ **an**
 2 **individual** under subsection (a) has a cause of action for
 3 reimbursement of the amount paid under subsection (a) against any
 4 third party against whom the ~~firefighter~~ **individual** has a cause of
 5 action for an injury sustained because of, or an illness caused by, the
 6 third party. The provider unit's cause of action under this subsection is
 7 in addition to, and not in lieu of, the cause of action of the ~~firefighter~~
 8 **individual** against the third party.

9 SECTION 19. IC 36-8-19-15, AS ADDED BY P.L.128-2008,
 10 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 UPON PASSAGE]: Sec. 15. (a) For purposes of this section, a fire
 12 protection territory **or ambulance service territory** is dissolved if all
 13 participating units withdraw from the ~~fire protection~~ territory as
 14 provided in section 13 of this chapter.

15 (b) When a ~~fire protection~~ territory dissolves, title to any real
 16 property transferred to the provider unit reverts to the participating unit
 17 that transferred the real property to the provider unit.

18 SECTION 20. **An emergency is declared for this act.**

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